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EXAMINER

MERED, HABTE

ART UNIT

PAPER NUMBER

2474

NOTIFICATION DATE

DELIVERY MODE

06/18/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Patent-ch@btlaw.com

DETAILED ACTION

Response to Amendment

1. The after final amendment filed on 6/4/10 has been entered and fully considered.
2. Claims 1-9, 11-17, 33, 34, 36, 37, 39, 43, 44, 46, and 47 are pending. The base independent claims are 1, 33, 34, 36, 37, 43 and 44. None of the claims are amended.

Response to Arguments

3. Applicant's argument with respect to the rejections of claims 36 and 37 under U.S.C. 101 is convincing. Hence the Examiner has withdrawn the rejection of claims 36 and 37 under U.S.C. 101.
4. Applicant's arguments filed on 6/4/10 with respect to the rejections of claims 1-9, 11-17, 33, 34, 36, 37, 39, 43, 44, 46, and 47 under U.S.C 103(a) have been fully considered but they are not persuasive.

Applicant argues with respect to all independent claims including claim 1 that the cited prior arts (Dropmann'934 and Koistinen'114) fail to teach the limitation in claim 1 reciting "controlling the steps of removing TFO information from the stream of voice data to ensure that the TFO information does not leak through the voice data". However as indicated in the last paragraph of the first page of the Remark Applicant readily admits

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that indeed Dropmann'934 teaches transmitting the voice data and the TFO signaling information separately.

Examiner's Response: Examiner respectfully disagrees with Applicant's conclusion and analysis.

First Applicant readily admits separate transmission of TFO signaling and voice data is taught by Dropmann'934 by stating in the Remarks in the last paragraph of the last page the following:

“However, the Applicant submits that all one would learn from Dropmann'934 is to transmit the TFO data in a signaling data stream rather than a voice data stream in order to prevent leakage of data between the two data types.”

Since Applicant readily admits that Dropmann'934 teaches transmitting the TFO data in a signaling data stream rather than a voice data stream in order to prevent leakage of data between the two data types then what only remains to be established is that is there a teaching of Dropmann'934 where the TFO signaling is transmitted in combination with the voice data before Dropmann'934 actually teaches what Applicant has conceded, namely being transmitting the TFO data in a signaling data stream rather than a voice data stream in order to prevent leakage of data between the two data types.

Dropmann'934 shows in Fig. 1 that connection 4 carries both voice and signaling

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and refers to connection 4 in Figs. 1&2 as a voice channel/signaling channel 4 in paragraph 10 and the last sentence of paragraph 10 and the first sentence of paragraph 11 do establish prior to the separate transmitting of signal and voice data, converter 7 of Fig. 2 receives a data stream from the voice channel/signaling channel 4 a data stream that has both voice and signaling and effectively separates the signaling from the voice data in a manner that prevents leakage of signaling data into voice data.

Hence the limitation in question, namely “controlling the steps of removing TFO information from the stream of voice data to ensure that the TFO information does not leak through the voice data”, is adequately taught by Dropmann'934 in paragraphs 9-11 and Figs. 1 and 2. Further more the labels of Fig. 2 even though in German do suggest the limitation in question.

It is also the position of the Examiner that even the secondary reference Koistinen'114 teaches the limitation in question. Even though Examiner relied on Koistinen'114 to teach a different limitation in claim 1, still even Koistinen'114 adequately teaches “controlling the steps of removing TFO information from the stream of voice data to ensure that the TFO information does not leak through the voice data” as shown in Fig. 7 and Column 9, Lines 5-35. Namely Koistinen'114 states TFO signaling bits 701-703 are extracted from TFO TRAU frames and are transmitted over reliable connection and the voice data extracted from the TRAU frame are transmitted via RTP connection. Applicant should note that the actual details of the controlled steps of removing signaling and voice data are not claimed at all.

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Hence given the over whelming evidence provided by the combined disclosure of Dropmann'934 and Koistinen'114 the 103(a) rejections of all independent claims are maintained.

5. Applicant argues with respect to dependent claim 47 that neither Dropmann'934 nor Koistinen'114 teach the claimed limitation "squelching TFO information from the stream of voice data".

Examiner's Response: Examiner respectfully disagrees with Applicant's conclusion and analysis. Examiner has reviewed Applicant's specification for the definition of squelching and none was provided. The teaching in the specification equates squelching to removing bits and Examiner has already established beyond any reasonable doubt that both Dropmann'934 and Koistinen'114 teach removing TFO signaling info and hence squelching TFO signaling info. For instance it is sufficient to refer to Koistinen'114 Column 4, Lines 10-30, Column 5, Line 25, Column 7, Lines 10-15 and Column 9, Lines 5-30 to see actual squelching of TFO signaling bits from received TRAU frames.

6. Finally, Applicant argues with dependent claim 46 that none of the prior arts disclose "recognizing the synchronization pattern of the TFO information". Applicant further argues that the disclosure of Koistinen'114 in column 10 line 8 appears to be synchronization pattern for TFO TRAU frames and not for TFO information.

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Examiner's Response: Examiner respectfully disagrees with Applicant's conclusion and analysis. Koistinen'114 indeed discloses in Column 8, Lines 10 and 35-38 that the Gateway recognizes the TFO TRAU synchronization bits for the TFO TRAU frames. TFO TRAU frames contain TFO information and the synchronization bit is also applicable to what is contained in the TFO TRAU frames. Further one cannot separate the TFO info before identifying the TFO TRAU frame alignment. How the TFO information is coded is also known by both ends and can be used to identify sequence and alignment as suggested by Koistinen'114 Column 9, Lines 20-25.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HABTE MERED whose telephone number is (571)272-6046. The examiner can normally be reached on Monday to Friday 10:30AM to 7:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung S. Moe can be reached on 571 272 7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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